

## Remarks

Applicants have carefully considered the Office Action dated February 20, 2002 and the references cited therein. Applicants respectfully request reexamination and reconsideration of the application.

In response to the Examiner's rejection of claims 95, 101, 104, 107 and 109 under 35 U.S.C. §101 as being directed to non-statutory subject matter, Applicants respectfully traverse such rejection as improper but have, however, made minor amendments to the preambles of the claims 95, 104, 107 and 109. Specifically, claim 95 now recites "In a computer system operatively connectable to a source of content and capable of executing a viewer program, ... a method comprising" (claim 95, lines 1-2). Similarly, claims 104, 107 and 109 now recite "In a computer system operatively connectable to a source of content and capable of executing a presentation program, ... a method comprising" (claim 104, 107 and 109, lines 1-2). Claim 101 has been amended to recite the additional elements of a processor, memory and network interface in addition to the previously recited program logic limitations. As such, these amendments have been made to clarify the format of the claim, not to distinguish over any other reference of record whether considered singularly or in combination.

Claims 24-43, 62-64, 78-80, and 95-110 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 5, 872, 915, Dykes, et al., hereafter referred to as Dykes. In setting forth the rejection, the Examiner had cited specific sections of Dykes which are alleged to disclose the limitation of claims 24, 62 and 78, as well as their respective dependent claims. Specifically, the Examiner alleges:

As per claim 24-36, 40, 62-64, and 78-80, Dykes discloses a computer system/method for providing security checking for software applications accessed via the WWW (which is seen to read as Applicants' claimed invention wherein it is stated that a system for protecting content distributed through a network), comprising: presenting content within a browser window of the web browser (see, abstract, lines 1-10, col. 3, lines 22-58, col. 4, lines 47-57, please note that NETSCAPE is capable of presenting content or object within a browser window of the web browser); and disabling a disallowed user function when the content is within the browser window (see, abstract, lines 1-10, col. 3, lines 22-58, col. 4, lines 47-57, *please note that NETSCAPE is capable of disabling and disallowed user function*). (Emphasis added)

After review of the portions of the Dykes reference, Applicants respectfully traverse the rejection as improper. Specifically, to anticipate a claim, a reference must teach every element of the claim (MPEP Section 2131). Claim 24 in its current form recites the limitation of " disabling a disallowed user function when the content is within the browser window" (Claim 24, lines 4-5). In setting forth the rejection the Examiner is alleging that the NETSCAPE Navigator web browser program is capable of disabling disallowed user functions. However, Applicant has been unable to find disclosure of such a specific functionality for the NETSCAPE Navigator web browser in Dykes. As a matter of fact the only mention of NETSCAPE Navigator in Dykes is as a suitable browser to be used with the system disclosed therein (Dykes; column 4, line 53). In addition, Dykes discloses the use of a general purpose only for authenticating user access to *remote* application programs browser (Dykes, column 4, lines 47-57). Dykes does not disclose disabling a disallowed user function when the content is within the browser window, as now recited by claim 24. There is no disclosure of disallowing certain user functions once content is transferred to a user's web browser. If the Examiner is relying on teachings outside of the Dykes reference to disclose such functionality in general purpose web browsers or the NETSCAPE Navigator web browser, then, in accordance with The Manual of Patent Examining Procedure section 2144.03, Applicants respectfully request the Examiner to produce a reference in support of his assertion, or, alternatively, if such assertion is based on the personal knowledge of the Examiner, to provide Applicants with an affidavit averring to the specific facts supporting the personal knowledge on which the Examiner's statement is based. In the absence of a reference to support the Examiner's claim, Applicants respectfully assert that claim 24 and its subsequent dependent claims are not anticipated by Dykes.

In addition, dependent claims 25-31 include all the limitations of claims 24 and are believed not anticipated for at least the same reasons as claim 24, as stated above. Claim 25 further defines the method in which disabling a disallowed user function comprises "intercepting a message posted to the browser window; and hiding the content if the browser is not a foreground application" (claim 25, lines 3-4). Claim 26 further defines the method in which disabling a disallowed user function comprises "clearing a commonly shared inter-application memory when the inter-application

memory is accessed " (claim 26 , lines 3-4). Claim 27 further defines the method in which disabling a disallowed user function comprises "hiding a user menu selection corresponding to the disallowed user function " (claim 27, line 3). Claim 28 further defines the method in which disabling a disallowed user function comprises " intercepting a keyboard message; and discarding the keyboard message if it corresponds to the disallowed user function " (claim 28 , lines 3-5). Claim 29 further defines the method in which disabling a disallowed user function comprises "monitoring a context for a device; and discarding a user action directed to the device when the context matches the content " (claim 29 , lines 3-5). Applicants are puzzled by the Examiner's assertions that the Dykes disclose such limitations, especially since the Examiner has provided no specific citation to a section of Dykes disclosing such limitations and Applicant's has been unable to find the same.

In addition, claim 32 further defines the disallowed user function as " selected from the group consisting of print, page setup, save as, view source, save picture as, set as wallpaper, copy, screen capture, screen print, cut. " (Claim 32, lines 1-3). Claim 40 further defines the disallowed user function as comprising "a user function which, when allowed, provides for non-ephemeral reproduction of the content" (Claim 40, lines 1-2). In light of the above, Applicants respectfully assert that the Examiner has failed to show where Dykes discloses all of the limitations of claims 24 and its subsequent dependent claims.

Claim 60 recites limitations similar to claim 24 and is believed allowable over Dykes for at least the same reasons as claim 24. In addition, claim 62 further recites of the limitation of " the disallowed user function comprises a user function which, when allowed, provides for non-ephemeral reproduction of the content" (claim 62, lines 5-7). Dykes does not disclose disabling a disallowed user function which allows for reproduction of content presented in a browser window, as now recited by claim 62. Again, if the Examiner is relying on teachings outside of the Dykes reference to disclose such functionality in general purpose web browsers or the NETSCAPE Navigator web browser, then, in accordance with The Manual of Patent Examining Procedure section 2144.03, Applicants respectfully request the Examiner to produce a reference in support of his assertion, or, alternatively, if such assertion is based on the

personal knowledge of the Examiner, to provide Applicants with an affidavit averring to the specific facts supporting the personal knowledge on which the Examiner's statement is based. In the absence of a reference to support the Examiner's claim, Applicants respectfully assert that claim 62 and its subsequent dependent claims are not anticipated by Dykes.

In addition, claim 63 further defines the techniques in which disabling a disallowed user function comprises "intercepting a message posted to the browser window; and hiding the content if the browser is not a foreground application" (claim 63, lines 2-3). Claim 64 further recites "the disallowed user function is enabled when content in the browser window is not designated to be protected such that non-ephemeral reproduction of such content is allowed" (claim 64, lines 2-3). Applicant's are puzzled by the Examiner's assertions that the Dykes disclose such limitations, especially since the Examiner has provided no specific citation to a section of Dykes disclosing such limitations and Applicant's has been unable to find the same. In light of the above, Applicants respectfully assert that the Examiner has failed to show where Dykes discloses all of the limitations of claims 24 and its subsequent dependent claims. Claims 78-80 include limitations similar to claims 24 and 62 and is believed allowable for at least the same reasons.

Claim 78 recites a system including " means for displaying the protected content on the client computer while preventing at least one form of reproduction of the content " (Claim 78, lines 4-5). Applicant respectfully asserts that the Examiner has failed to disclosed where in Dykes there is any teaching of disclosure of displaying the protected content on a client computer while preventing at least one form of reproduction of the content. In the absence of a reference to support the Examiner's claim, Applicants respectfully assert that claim 78 and its subsequent dependent claims are not anticipated by Dykes.

In setting forth the rejection, the Examiner had cited specific sections of Dykes which are alleged to disclose the limitation of claims 95-110, as well as their respective dependent claims. Specifically, the Examiner alleges:

As per claims 95, 97, 98, 100, 101, 103, 104, 105, 107, 109, and 110, Dykes discloses a computer system/method for providing security checking for software applications accessed via the WWW (which is seen

to read as Applicants' claimed invention wherein it is stated viewer program operatively connectable to a source of content, the viewer program having a plurality of functions related to presenting the content from the source), the method comprising the steps of: receiving content from the source (see, abstract, lines 1-10, col. 3, lines 22-58, Figs. 2-4, specifically wherein it is stated that data stream may be presented to web server application ..., please the web server is receiving content from the client workstation); receiving function authorization data indicating which of the viewer functions may be performed on the content from the source (see, abstract, Figs. 2-4, col. 4, lines 33-67, col. 5, lines 1-62, col. 9, lines 7-65, gateway or authorization); presenting the content with the viewer program (abstract, lines 1-10, col. 3, lines 22-58, col. 4, lines 44-57, please note that NETSCAPE is capable of presenting content or object with the viewer program or within a browser window of the web browser); *disabling selected viewer functions in accordance with the function authorization data received from the source (see, abstract, lines 1-10, col. 3, lines 22-58, col. 4, lines 47-57, please note that NETSCAPE is capable of disabling viewer or user function).* (Emphasis added)

After review of the portions of the Dykes reference, Applicants respectfully traverse the rejection as improper. Specifically, to anticipate a claim, a reference must teach every element of the claim (MPEP Section 2131). Claims 95, 98 and 101 recite a method, computer program product and apparatus, respectively, including the limitations of "receiving function authorization data indicating which of the viewer functions may be performed on the content from the source" and "disabling a disallowed user function in accordance with the function authorization data received from the source." (Claim 95, 98 and 101). In setting forth the rejection the Examiner is alleging that Dykes discloses receiving function authorization data indicating which of the viewer functions may be performed on the content from the source. After reviewing the section of Dyke cited by the Examiner, as well as the rest of the Dykes patent, Applicants have been unable to find disclosure of such a specific functionality for the NETSCAPE Navigator web browser or generally in Dykes. Dykes discloses a system by which client workstations can authenticate to and access remotely stored activity programs. Such technique is not the same as transmitting content to a viewing program, .e.g. a browser, at a client system and disallowing certain reproductive, e.g. non-ephemeral, functions within the viewer program. The ability to deny access to different levels of authentication to remote programs is not the same as providing

content for display and viewing but preventing duplication of the content. In Applicants' invention the browser is instructed what functions can be formed on content that is already received. In Dykes, failure to authenticate would merely lead to lack of access to the content. These two concepts are separate and distinct.

In further setting forth the rejection the Examiner is further alleging that the NETSCAPE Navigator web browser program is capable of disabling disallowed user functions in accordance with the function authorization data received from the source. However, Applicant has been unable to find disclosure of such a specific functionality for the NETSCAPE Navigator web browser in Dykes. There is no disclosure in Dykes of another element in the system being able to disable one of the functions of the web browser 212, as claimed in Applicants' invention.

If the Examiner is relying on teachings outside of the Dykes reference to disclose such functionality in general purpose web browsers or the NETSCAPE Navigator web browser, then, in accordance with The Manual of Patent Examining Procedure section 2144.03, Applicants respectfully request the Examiner to produce a reference in support of his assertion, or, alternatively, if such assertion is based on the personal knowledge of the Examiner, to provide Applicants with an affidavit averring to the specific facts supporting the personal knowledge on which the Examiner's statement is based. In the absence of a reference to support the Examiner's claim, Applicants respectfully assert that claim 24 and its subsequent dependent claims are not anticipated by Dykes.


Further, one of the objectives of the present invention is to prevent non-ephemeral, i.e. permanent, copies of content from being generated with the presentation program. This objective is achieved by having the browser functions automatically disabled not by the user but by another element in the system interacting with the browser. The Examiner will note that even if the *user* were able to voluntarily disable one or more of the functions performed by a general purpose web browser, that would not anticipate the Applicants' invention. The Examiner has not cited any reference that discloses how various user viewer functions could be disabled via authorization data from another element in the system. In the absence of a reference

to support the Examiner's claim, Applicants respectfully assert that claims 95, 98 and 101 and their respective dependent claims are not anticipated by Dykes. Claims 104, 107 and 109 include limitations similar to the prior independent claims. Specifically claim 104 recites a method including " monitoring user command input to the presentation program; and selectively enabling presentation program functions in accordance with function authorization data received from the source" (Claim 104, lines 5-6). Claim 107 recites a method including " monitoring user command input to the presentation program; and enabling less than all of the presentation program functions while the content is being presented" (Claim 107, lines 5-6). Claim 109 recites a method including " displaying the content with the presentation program; and preventing non-ephemeral reproduction of the content being displayed with the presentation program" (Claim 109, lines 6-7). For at least the same reasons stated previously, Applicants respectfully assert that, in the absence 104, 107 and 109 and their respective dependent claims are not anticipated by Dykes.

The amendments to the claims set forth herein have been offered to advance this application to issue. None of the amendments made herein should be construed as an admission that the subject matter of the claims, as originally filed, is anticipated by or made obvious in light of any art of record whether considered singularly or in combinations. Applicants expressly reserve the right to pursue the originally filed claims in another co-pending application without being prejudiced by any amendments, including cancellation of claims, made herein.

Applicants believe the claims are in allowable condition. A notice of allowance for this application is solicited earnestly. If the Examiner has any further questions regarding this amendment, he/she is invited to call Applicants' attorney at the number listed below. The Examiner is hereby authorized to charge any fees or credit any balances under 37 CFR §1.17, and 1.16 to Deposit Account No. 02-3038.

Respectfully submitted,



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95. In a computer system [viewer program] operatively connectable to a source of content and capable of executing a viewer program, the viewer program having a plurality of functions related to presenting the content from the source, a method comprising:

- (A) receiving content from the source;
- (B) receiving function authorization data indicating which of the viewer functions may be performed on the content from the source;
- (C) presenting the content with the viewer program; and
- (D) disabling selected viewer functions in accordance with the function authorization data received from the source.

101. Apparatus for use with a computer system operatively coupled to a source of content, the computer system capable of executing a viewer program having a plurality of functions related to presenting the content from the source, the apparatus comprising:

- (A) a processor;
- (B) a memory coupled to the processor;
- (C) a network interface coupled to the processor and the memory;
- [(A)] (D) program logic for receiving content from the source;
- [(B)] (E) program logic for receiving function authorization data indicating which of the viewer functions may be performed on the content from the source;
- [(C)] (F) program logic for presenting the content with the viewer program; and
- [(D)] (G) program logic for disabling selected viewer functions in accordance with the function authorization data received from the source.

104. In a computer system [presentation program] operatively connected to a source of content and capable of executing a presentation program, the presentation program having a plurality of functions related to presenting the content from the source, a method comprising:

- (A) receiving content from the source;
- (B) displaying the content with the presentation program;
- (C) monitoring user command input to the presentation program; and
- (D) selectively enabling presentation program functions in accordance with function authorization data received from the source.

107. In a computer system [presentation program] operatively connected to a source of content and capable of executing a presentation program, the presentation program having a plurality of functions related to presenting the content from the source, a method comprising:

- (A) receiving content from the source;
- (B) displaying the content with the presentation program;
- (C) monitoring user command input to the presentation program; and
- (D) enabling less than all of the presentation program functions while the content is being presented.

109. In a computer system [presentation program] operatively connected to a source of content and capable of executing a presentation program, the presentation program capable of presenting the content from the source, a method comprising:

- (A) receiving content from the source;
- (B) displaying the content with the presentation program; and
- (C) preventing non-ephemeral reproduction of the content being displayed with the presentation program.